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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
LEZAK, ARRIENNE M

ART UNIT	PAPER NUMBER
2143	6

DATE MAILED: 07/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application N		Applicant(s)
Office Action Summary		09/685,238		BURTON ET AL.
		Examiner		Art Unit	
		Arrienne M. Lezak		2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-34* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-34* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Examiner notes that no new claims have been added and no claims have been

cancelled. Claims not explicitly addressed herein are found to be addressed within prior

Office Action dated 30 January 2004 as reiterated herein below.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

3.   Claims 29-31 are rejected under 35 U.S.C. 102(e) as being anticipated by US

Patent US 6,351,776 B1 to O'Brien.

4.   O'Brien discloses a user Internet file system comprising: a received folder that

contains folders representing files and folders that have been shared with a user and

the names of those who shared the files and folders with the user, and a friends folder

that contains the user's objects and community folders that contain information that are

of interest to the user, (pending Claim 29), a root similar to a home folder of the user,

(pending Claim 30), and wherein files and folders in the home folder are available at the

root of the file system, (pending Claim 31), (Abstract; Fig. 13; and Col. 20, lines 21-52).

5.   Therefore, this reference may reasonably be read to teach or describe every

element or claim limitation of Claims 29-31.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1-3, 8, 11-17, 19, 20, 25-28 and 32-34 are rejected under 35 U.S.C.

103(a) as being unpatentable over US Patent US 6,351,776 B1 to O'Brien in view of US

Patent US 6,389,589 B1 to Mishra.

8.   Regarding Claims 1, 2, 25-27 and 34, O'Brien ('776) discloses a method and

system for configuring an Internet file system, comprising:

-       accessing, by a user, a server that is configured with an application on the

        Internet file system, (Abstract and Col. 4, lines 13-43);

-       creating, by the application, an Internet file system for the user, (Abstract);

-       storing, by a directory, a home folder of the user, wherein folders and files

        in the home folder are available at a root of the internet file system,

        (Abstract; Fig. 13; and Col. 20, lines 44-52); and

-       providing, by the application, a first folder and a second folder in a root of

        the home folder, the first folder containing folders that represent folders

        and files that have been shared with the user, the second folder containing

objects of the user and communities that are of interest to the user, (Fig.

13 and Col.20, lines 21-52).

9.   O'Brien ('776) does not specifically disclose or describe a method and system for

configuring an Internet file system comprising creating, by the application, an auxiliary

class containing a first attribute, a second attribute, and a third attribute, wherein the

first attribute is used to quickly find other users that the folders and the files in the home

folder have been shared with, the second attribute is used to store names of the other

users and a path of the folders and the files that have been shared with the user, and

the third attribute is used to allow the user and other users with common interests to

share folders and files of the common interest.

10.   Mishra ('589) discloses the implementation of a class store in a group policy for

purposes of application management utilizing the Windows NT Active Directory and a

LDAP class store schema, (Col. 4, lines 63-67; Col. 5; and Col. 6, lines 1-13).

11.   To incorporate the centralized class store of Mishra into the O'Brien method for

configuring an Internet file system would have been obvious to one of ordinary skill in

the art at the time of invention by Applicant. The motivation to combine the centralized

class store with the method for configuring an Internet file system is apparent in that the

LDAP directories are designed to manage network resources, and the O' Brien method

comprises an X-Drive, (Fig. 13), which is a network resource.

12.   Therefore, Claims 1, 2, 25-27 and 34 are unpatentable over the combined

teachings of O'Brien in view of Mishra.

13.   Regarding Claim 3, Mishra discloses a method further comprising attaching the

auxiliary class to a user object when the folders and the files are shared with the user,

(Col. 7). O'Brien in view of Mishra is relied upon for the teachings and motivation as

discussed above relative to Claims 1, 2, 25-27 and 34. Therefore, Claim 3 is

unpatentable over the combined teachings of O'Brien in view of Mishra.

14.   Regarding Claims 8 and 28, Mishra discloses a method for file sharing

comprising: sharing, by a first user, a file with a second user; adding, by an application,

the first user to a third attribute of the second user; adding, by the application, the

second user to a third attribute of the first user; adding, by the application, a path of the

shared file and a user name of the second user to a first attribute of the first user;

adding, by the application, the path of the shared file and a user name of the first user to

a second attribute of the second user; and making available, by the application, the first

attribute through a folder of the second attribute, wherein the folder belongs to the

second user, (Col. 19, lines 29-67 and Col. 20, lines 1-40). O'Brien in view of Mishra is

relied upon for the teachings and motivation as discussed above relative to Claims 1, 2,

25-27 and 34. Therefore, Claims 8 and 28 are unpatentable over the combined

teachings of O'Brien in view of Mishra.

15.   Regarding Claim 11, Mishra discloses a method for file sharing comprising

placing, by the application, objects of the first user and the second user into a folder of

the attribute that is located in an Internet file system of the first user and in an Internet

file system of the second user, (Col. 19, lines 5-18). O'Brien discloses a "shared

Internet storage resource, user interface system and method", (title). O'Brien in view of

Mishra is relied upon for the teachings and motivation as discussed above relative to

Claims 1, 2, 25-27 and 34. Therefore, Claim 11 is unpatentable over the combined

teachings of O'Brien in view of Mishra.

16.   Regarding Claim 12, Mishra discloses a method for file sharing comprising

sharing the objects by the first user and the second user, (Col. 2, lines 15-31). O'Brien

in view of Mishra is relied upon for the teachings and motivation as discussed above

relative to Claims 1, 2, 25-27 and 34. Therefore, Claim 12 is unpatentable over the

combined teachings of O'Brien in view of Mishra.

17.   Regarding Claims 13-17, Mishra discloses a method for file sharing wherein the

first attribute is a shared path attribute, (pending Claim 13), the second attribute is a

received path attribute, (pending Claim 14), the third attribute is a friend attribute,

(pending Claim 15), wherein the first, second and third attributes are located in a

directory, (pending Claim 16), and wherein the first user has a second attribute and the

second user has a first attribute, (pending Claim 17), (Col. 4, lines 63-67 and Col. 5,

lines 1-22). O'Brien in view of Mishra is relied upon for the teachings and motivation as

discussed above relative to Claims 1, 2, 25-27 and 34. Therefore, Claims 13-17 are

unpatentable over the combined teachings of O'Brien in view of Mishra.

18.   Regarding Claim 19, Mishra discloses a method for file sharing wherein if there is

no corresponding user object, a new user object is created based on the information

provided, (Col. 5, lines 5-22). O'Brien in view of Mishra is relied upon for the teachings

and motivation as discussed above relative to Claims 1, 2, 25-27 and 34. Therefore,

Claim 19 is unpatentable over the combined teachings of O'Brien in view of Mishra.

19.   Regarding Claim 20, Mishra discloses a method for file sharing comprising monitoring, by the script, interests the another user has submitted in the registration form, (Col. 5, lines 5-67 and Col. 6, lines 1-14). O'Brien in view of Mishra is relied upon for the teachings and motivation as discussed above relative to Claims 1, 2, 25-27 and 34. Therefore, Claim 20 is unpatentable over the combined teachings of O'Brien in view of Mishra.

20.   Regarding Claims 32 and 33, Mishra discloses a directory comprising: a user object; a home folder of the user, wherein the home folder is an attribute of the user object; an auxiliary class attached to the user object when files are shared with the user; a community folder that includes topics of interest to the user; and a group object associated with each topic of interest, (pending Claim 32), and wherein the auxiliary class is attached to the user object when the user shares files with other users, (pending Claim 33), (Col. 4, lines 63-67; Col. 5, lines 1-67; and Col. 6, lines 1-13). O'Brien in view of Mishra is relied upon for the teachings and motivation as discussed above relative to Claims 1, 2, 25-27 and 34. Therefore, Claims 32 and 33 are also unpatentable over the combined teachings of O'Brien in view of Mishra.

21.   Claims 4-6, 7, 9, 10, 18 and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent US 6,351,776 B1 to O'Brien in view of US Patent US 6,389,589 B1 to Mishra in further view of "Role Based Access Control" by David Ferraiolo and Richard Kuhn of the National Institute of Standards and Technology for the Proceedings of the 15th National Computer Security Conference, 1992.

22.   Regarding Claims 4 and 5, Ferraiolo discloses a method for file sharing comprising enabling the user to modify granted rights to the shared folders and the shared files, (pending Claim 4), and enabling the user to disallow the sharing of the folders and the files, (pending Claim 5), (P.2 – bottom and P.3 – top). O'Brien in view of Mishra is relied upon for the teachings and motivation as discussed above relative to Claims 1, 2, 25-27 and 34.

23.   To incorporate the Ferraiolo Role-Based Access Control functionality within the O'Brien Shared Internet storage system would have been obvious to one of ordinary skill in the art at the time of invention be Applicant. The motivation for the combination is found within O'Brien wherein O'Brien provides a means by which individual users or groups of users share Internet-stored files, (Col. 4, lines 13-43). To grant rights based on individual roles or roles within groups would have been obvious and necessary considering the very nature of a shared resource. Moreover, Role-Based Access Control would also be an obvious functionality as incorporated within the Mishra class store schema, as Mishra employs directory containers managed by specified group policies, (Col. 4, lines 63-67). As noted above, granting rights based on individual roles or roles within groups would have been obvious and necessary considering the very nature of a shared resource.

24.   Therefore, Claims 4 and 5 are unpatentable over the combined teachings of O'Brien in view of Mishra in further view of Ferraiolo.

25.   Regarding Claim 6, Ferraiolo discloses a method for file sharing comprising populating the first folder with the stored names of the other users, (p.4), and Mishra

discloses a folder containing path information to files anf folders that have been shared with the user, (Col. 12 and Col. 20, lines 37-40). O'Brien in view of Mishra in further view of Ferraiolo is relied upon for the teachings and motivation relative to all Claims discussed herein above. Therefore, Claim 6 is unpatentable over the combined teachings of O'Brien in view of Mishra in further view of Ferraiolo.

26.   Regarding Claim 7, Ferraiolo discloses a method for file sharing comprising creating communities of users with common interests, (p.4 – top), and Mishra discloses storing communities as groups and users as members of groups, (Col. 4, lines 51-67 and Col. 5, lines 1-22). O'Brien in view of Mishra in further view of Ferraiolo is relied upon for the teachings and motivation relative to all Claims discussed herein above. Therefore, Claim 7 is unpatentable over the combined teachings of O'Brien in view of Mishra in further view of Ferraiolo.

27.   Regarding Claims 9 and 10, Ferraiolo discloses a method for file sharing comprising, if the first user modifies rights to the first attribute, determining by the application which user the folder has been shared with and what rights the user has been granted, (pending Claim 9), notifying the second user, by the application, that the file has been shared with the second user, (pending Claim 10), (p.4). O'Brien in view of Mishra in further view of Ferraiolo is relied upon for the teachings and motivation relative to all Claims discussed herein above. Therefore, Claims 9 and 10 are unpatentable over the combined teachings of O'Brien in view of Mishra in further view of Ferraiolo.

28.   Regarding Claim 18, Ferriaolo discloses a method for creating user objects in a

directory, comprising: if a user shares a folder with another user who is not registered

with an application in the directory, creating a temporary user object with an email

address as a name of the another user, (Ferriaolo, p.4), and Mishra discloses

submitting, by the another user, a registration form; determining, by a script, if the email

address corresponds with the another user; and if the email address corresponds with

the another user, updating the temporary user object based on information provided in

the registration form, (Mishra, Col. 5, lines 5-67 and Col. 6, lines 1-14). O'Brien in view

of Mishra in further view of Ferraiolo is relied upon for the teachings and motivation

relative to all Claims discussed herein above. Therefore, Claim 18 is unpatentable over

the combined teachings of O'Brien in view of Mishra in further view of Ferraiolo.

29.   Regarding Claims 21-23, Ferriaolo in combination with Mishra discloses a

method for creating user objects comprising associating each interest of the another

user with a group object in a container of the application, (pending Claim 21), adding the

another user as a member of each interest group, (pending Claim 22), and adding each

interest group to a list of friends of the another user, (pending Claim 23), (Ferriaolo - p.4

and Mishra – Col. 4, lines 63-67; Col. 5, lines 1-21). O'Brien in view of Mishra in further

view of Ferraiolo is relied upon for the teachings and motivation relative to all Claims

discussed herein above. Therefore, Claims 21-23 are unpatentable over the combined

teachings of O'Brien in view of Mishra in further view of Ferraiolo.

30.   Regarding Claim 24, Ferraiolo discloses a method for creating user objects

wherein the information includes at least one item from a group consisting of: the email

address; a user name; a password; a first name; a last name; an address; and interests,

(p.4). O'Brien in view of Mishra in further view of Ferraiolo is relied upon for the

teachings and motivation relative to all Claims discussed herein above. Therefore,

Claim 24 is unpatentable over the combined teachings of O'Brien in view of Mishra in

further view of Ferraiolo.

Response to Arguments

31.   Applicant's arguments filed 27 April 2004, have been fully considered but they

are not persuasive. Applicant's arguments do not comply with 37 CFR 1.111(c)

because they do not clearly point out the patentable novelty which he or she thinks the

claims present in view of the state of the art disclosed by the references cited or the

objections made. Further, they do not show how reconsideration avoids such references

or objections.

32.   Regarding Applicant's argument that permission is implemented in the form of

business rules and not as a received folder and friends folder, Examiner notes that

business rules are the means by which the folders both public and private are

implemented. A careful reading of O'Brien, (Col. 6, line 67 to Col. 7, lines 1-4 and Col.

8, lines 1-30), reveals that O'Brien is implemented with Enterprise Java Beans (EJB)

where all logic implemented on the middle tier is notoriously and well-known as

business rules. Thus, Applicant's representative is clearly misreading the meaning of

"business rules" as in the context of O'Brien, as equating business rules (a means of

implementation) and a folder (an implemented object) is non-sensical.

33.   Regarding Applicant's argument that a received folder is not equivalent to a

private folder and friends folder is not equivalent to a public folder, Examiner notes that

all the access rights of a received folder correspond to the well-known access rights of a

private folder and all the access rights of a friends folder correspond to the well-known

access rights of a public folder. Applicant is well aware of the obligation of the

Examiner to read claims in their broadest reasonable interpretation, through the words

plain meaning. [See MPEP 2111 and 2111.01.] Since from the context of access rights,

received/friends folders are indistinguishable private/public folders respectively, they are

reasonably found to be equivalent under plain meaning.

34.   In response to applicant's argument that the Mishra reference does not

individually teach a mechanism to allow a user to share files with other users, the test

for obviousness is not whether the features of a secondary reference may be bodily

incorporated into the structure of the primary reference; nor is it that the claimed

invention must be expressly suggested in any one or all of the references. Rather, the

test is what the combined teachings of the references would have suggested to those of

ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Moreover, Examiner notes that one cannot show nonobviousness by attacking

references individually where the rejections are based on combinations of references.

See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800

F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

35.   Regarding Applicant's argument that neither O'Brien or Mishra teach providing a

first and second folder creating an auxiliary class, Examiner observes the auxiliary class

mentioned by Applicant within the spec (p.4, line 20), is a WebDAV user auxiliary class. Applicant's claims are silent as to the use of a WebDAV user auxiliary class. Mishra teaches the use of many aux classes, (Col. 2, lines 15-21 and Col. 11, lines 56-66 - note ADSI is well-known to be a COM interface to Active Directory ™), which auxiliary classes clearly read upon any of a plurality of policies and class stores implemented via COM classes in Active Directory ™.

36.   Regarding Applicant's assertion that O'Brien does not teach a root folder, Examiner notes that a hierarchical file organization such as that of the X:drive, explicitly has a root, e.g. X:. If X: were not the root, it would be possible to store a file on an X: drive that did not have X: in its path. It is physically, logically, and topologically IMPOSSIBLE for this to be the case in a HIERARCHICAL STRUCTURE. Applicant's counsel is undoubtedly aware of the large body of elementary computer science textbooks regarding file systems (e.g. Tanenbaum, Coulouris, etc.), which define the attributes of a file system. Thus, within the context of the instant application, by definition, X: is the root.

37.   Regarding Applicant's assertion that O'Brien does not teach multiple folders including a home (private) folder and a community (public) folder connected to the root of the file system, Examiner notes that the same is shown in Fig. 13, as noted above.

38.   Regarding Applicant's assertion that O'Brien does not teach an application, Examiner observes that the X:drive is implemented with EJB. Examiner observes that EJB is hosted on an application server. Examiner is not convinced by Applicant's

assertion that an executable or dynamic library installed on an application server is not an application and that an application server not a server.

39.   Regarding Applicant's assertion that O'Brien does not teach a file system with multiple attributes, Examiner notes that attributes include such things as quota, limitations and permissions as taught by O'Brien, (Col. 11, lines 11-12).

40.   Regarding Applicant's assertion that O'Brien teaches away from Applicant's claimed invention in that O'Brien discloses a database which stores the "metadata" associated with the files for searching purposes instead of providing a directory that stores a home folder of the user, Examiner notes that the fact that O'Brien implements his file system within a relational database does not negate the fact that it is still a file system, (Fig. 13).

41.   Regarding Applicant's assertion that Mishra teaches an application assignment scheme which scheme teaches away from Applicant's claimed invention, Examiner notes that Applicant's Attorney has erred in her interpretation of what constitutes "teaching away", as there is nothing within an application assignment scheme or a user profile which would teach away from any of the limitations of Claim 25 or the motivation to combine. On the contrary, Mishra discloses an Active Directory ™ functionality that is combined with O'Brien. Examiner notes that Active Directory ™ is a generic mechanism directed towards resource location services and combinable on arbitrary storage devices such as that in O'Brien.

42.   In response to applicant's assertion that there is no suggestion to combine the references, the Examiner recognizes that obviousness can only be established by

combining or modifying the teachings of the prior art to produce the claimed invention

where there is some teaching, suggestion, or motivation to do so found either in the

references themselves or in the knowledge generally available to one of ordinary skill in

the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re*

Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, MPEP 2143.01

(cited by Applicant's counsel) must be read in light of MPEP 2144 (The Expectation of

some Advantage is the Strongest Rationale for Combining References and Rationale

Different from Applicant is Permissible). A person having ordinary skill in the art, faced

with the problem of administering COM classes stored on O'Brien X:drives would have

necessarily been motivated to turn to the centralized administration of Mishra. In fact

Mishra states that incorporation of the Mishra reference provides a particularly

advantageous means of providing centralized administration of COM classes (Col. 2

lines 15-21). Thus, as Mishra renders an advantage to O'Brien within this context,

clearly the motivation to combine is proper.

43.   In response to applicant's argument that the examiner's conclusion of

obviousness is based upon improper hindsight reasoning, it must be recognized that

any judgment on obviousness is in a sense necessarily a reconstruction based upon

hindsight reasoning. But so long as it takes into account only knowledge which was

within the level of ordinary skill at the time the claimed invention was made, and does

not include knowledge gleaned only from the Applicant's disclosure, such a

reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA

1971). Examiner points out that since motivation to combine O'Brien and Mishra is

different from that of Applicant, motivation to combine could not POSSIBLY have been obtained from Applicant's specification.

44.   Regarding Ferraiolo, Applicant's asserts that Examiner did not present an obviousness prima facie case. Applicant offers the rationale that the Ferraiolo reference states that DAC is not the same as RBAC and thus cites a contrary teaching. Regarding the Ferraiolo reference, Examiner points out that Applicant's counsel is misguided in misinterpreting historical information (e.g. DAC) as part of the RBAC being combined. Examiner notes that the Ferraiolo paper was the seminal paper introducing RBAC to the computer science community, and as such, Ferraiolo was obliged to describe the state of the prior art, specifically DAC and MAC, in order to introduce the improvement to access control provided by RBAC. Since it is RBAC and not DAC being combined, any discussion regarding DAC is misleading and irrelevant. Furthermore, the quantum leap of incorporating historical background information as part of a combination is incomprehensible.

45.   Applicant's remaining assertions concerning subject matter not taught by the O'Brien, Mishra, Ferraiolo combination, and that such combination teaches away from the claimed invention and that the combination of references is improper, has already been addressed as noted herein above.

46.   Examiner has addressed Applicant's Amendment, and has further rejected all Independent and Dependent Claims as noted herein above.

47.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

48.   A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Arrienne M. Lezak whose telephone number is (703)-

305-0717. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A. Wiley can be reached on (703)-308-5221. The fax phone number

for the organization where this application or proceeding is assigned is (703)-305-3718.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703)-

305-6121.

Arrienne M. Lezak

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Examiner
Art Unit 2143

AML